

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

DIANE DEMARCO,)
Plaintiff,)
vs) Civil Action No. 12-242
PENNSYLVANIA STATE CORRECTIONS)
OFFICERS' ASSOCIATION RETIREMENT)
PLAN,)
Defendant.)

O R D E R

AND NOW, this 2nd day of April, 2013, after the plaintiff, Diane DeMarco, filed an Amended Complaint in the above-captioned case, and after a motion to dismiss was submitted by the defendant, Pennsylvania State Corrections Officers' Association Retirement Plan, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties a period of time after being served with a copy to file written objections thereto, and upon consideration of the objections filed by the plaintiff (filed as "Appeal of Magistrate Judge's Decision Pursuant to 28 U.S.C. § 636 and Local Rule 72"), and upon independent review of the motion and the record, and upon consideration of the Magistrate Judge's Report and Recommendation (ECF No. 24), which is adopted as the opinion of this Court,

IT IS ORDERED that defendant's motion to dismiss (ECF No. 20) the Amended Complaint is granted.

IT IS FURTHER ORDERED that pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure if the plaintiff desires to appeal from this Order she must do so within thirty

(30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.

Nora Barry Fischer
Nora Barry Fischer
United States District Judge